

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

BRANT CRISS

FILED
MADISON COUNTY

PLAINTIFF

VERSUS

MAR 21 2022

CAUSE NO.

CT 2022-0071-JA

ANITA WRAY, CIRCUIT CLERK

ROLL-OFFS TRUCKING, INC.

Ob

D.C.

DEFENDANT

COMPLAINT

Jury Trial Requested

Plaintiff, Brant Criss ("Brant" or "Plaintiff"), by and through his attorneys of record, and files this his Complaint against Defendant Roll-Offs Trucking, Inc. ("Roll-Offs" or "Defendant"), and for his causes of this action would show unto the Court the following:

Parties

1. At the time of the crash and currently, Brant Criss is an adult resident citizen of Mississippi.
2. Defendant, Roll-Offs, is an Oklahoma corporation doing business in Mississippi with its principal place of business located at 8760 OK-78, Durant, Oklahoma 74701 and who may be served by serving its registered agent, Ray Jean Hankey at 3017 Quail Ridge, Durant, Oklahoma 74701 or wherever found.

Jurisdiction and Venue

3. Jurisdiction is proper in this Court because this is a tort action and the Circuit Court is the court of General Jurisdiction.



4. Venue is proper in this Court pursuant to Mississippi Code Annotated § 11-11-3 because the incident giving rise to damages occurred in Madison County, Mississippi.

Common Allegations

5. On November 9, 2020, at approximately 5:26 p.m., Brant was operating a 2014 Toyota Corolla traveling north in the middle lane of Interstate 55 in a safe and prudent manner.
6. At the same time and place, Jody White was in the course and scope of his employment with Roll-Offs operating a 1999 Peterbilt tractor and trailer traveling north on Interstate 55 in the left lane immediately to the left of Brant's lane of travel.
7. As Brant was traveling in a safe manner on Interstate 55, suddenly and without warning, White caused his tractor trailer to enter into Brant's lane and collide with Brant's vehicle causing Brant to suffer severe personal injuries.
8. The collision and resulting damages to Brant were directly and proximately caused by the negligence of White in the following respects:
 - a. Violated Mississippi Code Annotated § 63-3-1213 by driving his vehicle in a careless and imprudent manner without regard for traffic and all other attendant circumstances;

- b. Violated Mississippi Code Annotated § 63-3-505 by failing to slow or otherwise maneuver his vehicle under the conditions present and to avoid colliding with Brant;
- c. Violated Mississippi Code Annotated § 63-3-1201, by driving his vehicle in such a manner as to indicate a willful or wanton disregard for the safety of persons or property including Brant;
- d. Failed to yield the right-of-way;
- e. Failed to keep a proper lookout for other vehicles and road conditions;
- f. Failed to observe due care and precaution and to maintain proper and adequate control of his vehicle;
- g. Failed to exercise reasonable care in the operation of his vehicle under the circumstances and conditions then and there existing at the time of the collision; and
- h. Committed other acts of negligence to be named in a trial of this matter.

9. As stated above, at all times relevant herein, White was within the scope of his employment with Roll-Offs at the time of the collision.

Count I – Respondent Superior Against Roll-Offs

- 10. Brant incorporates herein and re-alleges all previous paragraphs.
- 11. Because White was, at all times relevant, acting within the scope of his employment with Roll-Offs, Roll-Offs is liable for the negligent acts and omissions

of White pursuant to *Respondeat Superior*.

Damages

12. As a direct and proximate result of the negligence of White, Brant was caused to suffer serious, permanent, painful and disabling injuries to his body and property which resulted in the following damages to Brant:

- a. Medical and drug expenses to date;
- b. Pain, suffering and mental anguish to date;
- c. Non-permanent injuries, pain, suffering and mental anguish to date;
- d. Pain, suffering and mental anguish for the remainder of his life;
- e. Future medical and drug expenses;
- f. Loss of enjoyment in life and quality of life;
- g. Loss of household services;
- h. Lost wages;
- i. Loss of wage earning capacity;
- j. Permanent disability and disfigurement;
- k. Pre and post judgment interest; and
- l. All damages allowed by law.

WHEREFORE, PREMISES CONSIDERED, Brant Criss demands judgment against Roll-Offs Trucking, Inc. for an amount of actual, compensatory, consequential, and incidental damages, for medical and drug expenses to date, pain, suffering, and

mental anguish to date, non-permanent injuries, pain, suffering, and mental anguish to date, pain, suffering, and mental anguish for the remainder of his life, future medical and drug expenses, loss of enjoyment in life and quality of life, loss of household services, lost wages, loss of wage earning capacity, permanent disability and disfigurement, pre and post judgment interest and any other special damages that may be incurred by him, together with attorney's fees, costs of court and any further relief to be determined by a jury of Brant Criss' peers arising from the negligence of Jody White.

Respectfully submitted this the 9th day of March, 2022.

BRANT CRISS,

Plaintiff


NICHOLAS A. PUCKETT, MSB#105599

Nicholas A. Puckett, MSB#105599
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4450 Old Canton Road, Suite 200
Jackson, Mississippi 39211
Telephone (769)209-6468
Facsimile: (769)209-6568
Email: npuckett@forthepeople.com



March 17, 2022

SENT VIA MAIL



* 1 1 1 7 7 0 8 1 *
Circuit Court of Madison County
ATTN: Anita Wray
P.O. Drawer 1626
Canton, Mississippi 39046

Re: *Brant Criss v. Roll-Offs Trucking, Inc.*

Dear Ms. Wray:

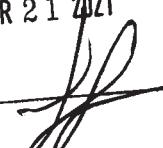
Please see the enclosed *a copy and Original of Complaint and Summons to be issued to Roll-Offs Trucking, Inc.* Also, please accept the \$161.00 firm check for filing. I am also providing the paid postage to send the documents back to our offices.

Thank you for time and attention to this matter. Should you have any further questions or concerns, please do not hesitate to contact me at (769) 209-6463.

Best regards,


Janora J. Wray
Litigation Paralegal to Nicholas A. Puckett

LL/ll
Enclosures

RECEIVED
MAR 21 2021
By 

Case: 45CI1:22-cv-00071-JA Document #: 1 Filed: 03/21/2022 Page 7 of 7
 FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi
 Madison County

Case # CI-2022-0071	Acct #	Paid By CHECK 70005	Rct# 95027
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CV CLERK'S FEE	85.00
CV LAW LIBRARY	2.50
CV COURT REPORTER TAX	10.00
CV COURT EDUCATION	2.00
CV COURT ADMINISTRATOR	2.00
CV CIVIL LEGAL ASSISTANCE FUND	5.00
CV COMPREHENSIVE ELECTRONIC CT	10.00
CV JURY TAX	3.00
CV CONSTITUENTS FE	.50
CV RECORDS MANAGEMENT PROGRAM	1.00
CV-JUDICIAL SYS OPERATION FUND	40.00

Total	\$ 161.00
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Payment received from MORGAN & MORGAN

Transaction 102027 Received 3/21/2022 at 13:40 Drawer 1 I.D. DENDY

Current Balance Due	\$0.00	Receipt Amount \$ 161.00
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By _____ D.C. ANITA WRAY, Circuit Clerk

Case # CI-2022-0071	Acct #	Paid By CHECK 70005	Rct# 95027
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